

FILED

FEB 06 2020

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
PECOS DIVISION

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature] DEPUTY CLERK

UNITED STATES OF AMERICA	)	<u>INFORMATION</u>
	)	
v.	)	Cause No. P-20-CR- 065
	)	
WILLIAM HOWARD GORNT0, II	)	16 USC 3372(d) and 3373 (d)(3)(A)
	)	Mislabel Exports
	)	
	)	Notice of Government's Demand for
	)	Forfeiture

**THE UNITED STATES ATTORNEY CHARGES:**

**COUNT ONE**

[16 U.S.C. §§3372(d), 3373(d)(3)(A) and 18 U.S.C. § 2]

Between on or about November 21, 2017 to on or about July 11, 2018, in the Western District of Texas, and elsewhere, defendant

**WILLIAM HOWARD GORNT0, II**

aided and abetted by others, did knowingly make and submitted false identification of plants, to-wit: living rock cactus (*Ariocarpus fissuratus*), that were intended to be exported in foreign commerce and involved the sale of such plants in excess of \$350.00.

A violation of Title 16, United States Code, Sections 3372(d), 3373(d)(3)(A) and 18 U.S.C. 2.

**Notice of Government's Demand for Forfeiture**

[16 U.S.C. §3374, as made applicable by 28 U.S.C. § 2461(c)]

As a result of the foregoing criminal violation set forth in Count One, the United States of America gives notice that it intends to forfeit, but is not limited to, the below-listed property from Defendant WILLIAM HOWARD GORNT0, II. Defendant shall forfeit all right, title, and interest

in said property to the United States pursuant to Fed. R. Crim. P. 32.2 and 16 U.S.C. § 3374(a)(1), which is made applicable to criminal forfeiture by 28 U.S.C. § 2461(c). Section 3374 provides in pertinent part:

**§ 3374. Forfeiture**

(a) In general.

(1) All fish or wildlife or plants imported, exported, transported, sold, received, acquired, or purchased contrary to the provisions of section 3 of this Act ... or any regulation issued pursuant thereto, shall be subject to forfeiture to the United States notwithstanding any culpability requirements for civil penalty assessment or criminal prosecution included in section 4 of this Act.

**II. Subject Properties**

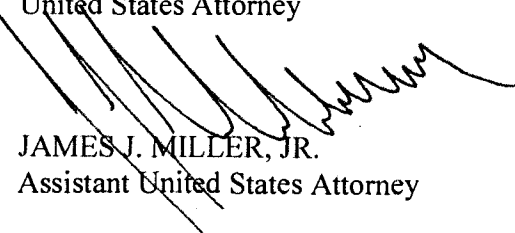
This Notice of Demand for Forfeiture includes, but is not limited, to the following:

- a. Approximately 20 living rock cacti (*Ariocarpus fissuratus*) seized on or about November 21, 2017, at the International Mail Facility in Chicago, Illinois;
- b. Approximately 27 living rock cacti (*Ariocarpus fissuratus*) seized on or about November 24, 2017, at the International Mail Facility in Chicago, Illinois;
- c. Approximately 22 living rock cacti (*Ariocarpus fissuratus*) seized on or about December 13, 2017, at the International Mail Facility in Chicago, Illinois;
- d. Approximately 29 living rock cacti (*Ariocarpus fissuratus*) seized on or about December 28, 2017, at the International Mail Facility in Chicago, Illinois;
- e. Approximately 16 living rock cacti (*Ariocarpus fissuratus*) seized on or about December 29, 2017, at the International Mail Facility in Chicago, Illinois;
- f. Approximately 20 living rock cacti (*Ariocarpus fissuratus*) seized on or about January 5, 2018, at the International Mail Facility in Chicago, Illinois;
- g. Approximately 26 living rock cacti (*Ariocarpus fissuratus*) seized on or about January 5, 2018, at the International Mail Facility in Chicago, Illinois;
- h. Approximately 22 living rock cacti (*Ariocarpus fissuratus*) seized on or about January 10, 2018, at the International Mail Facility in Chicago, Illinois;
- i. Approximately 15 living rock cacti (*Ariocarpus fissuratus*) seized on or about March 5, 2018, at the International Mail Facility in Chicago, Illinois;

- j. Approximately 18 living rock cacti (*Ariocarpus fissuratus*) seized on or about March 5, 2018, at the International Mail Facility in Chicago, Illinois;
- k. Approximately 21 living rock cacti (*Ariocarpus fissuratus*) seized on or about March 19, 2018, at the International Mail Facility in Chicago, Illinois;
- l. Approximately 23 living rock cacti (*Ariocarpus fissuratus*) seized on or about March 19, 2018, at the International Mail Facility in Chicago, Illinois;
- m. Approximately 22 living rock cacti (*Ariocarpus fissuratus*) seized on or about March 19, 2018, at the International Mail Facility in Chicago, Illinois;
- n. Approximately 22 living rock cacti (*Ariocarpus fissuratus*) seized on or about March 19, 2018, at the International Mail Facility in Chicago, Illinois;
- o. Approximately 30 living rock cacti (*Ariocarpus fissuratus*) seized on or about April 13, 2018, at the International Mail Facility in Chicago, Illinois;
- p.. Approximately 25 living rock cacti (*Ariocarpus fissuratus*) seized on or about April 13, 2018, at the International Mail Facility in Chicago, Illinois;
- q. Approximately 19 living rock cacti (*Ariocarpus fissuratus*) seized on or about April 13, 2018, at the International Mail Facility in Chicago, Illinois;
- r. Approximately 12 living rock cacti (*Ariocarpus fissuratus*) seized on or about April 13, 2018, at the International Mail Facility in Chicago, Illinois;
- s. Approximately 15 living rock cacti (*Ariocarpus fissuratus*) seized on or about April 13, 2018, at the International Mail Facility in Chicago, Illinois;
- t. Approximately 9 living rock cacti (*Ariocarpus fissuratus*) seized on or about April 13, 2018, at the International Mail Facility in Chicago, Illinois;
- u. Approximately 31 living rock cacti (*Ariocarpus fissuratus*) seized on or about April 13, 2018, at the International Mail Facility in Chicago, Illinois;
- v. Approximately 13 living rock cacti (*Ariocarpus fissuratus*) seized on or about May 14, 2018, at the International Mail Facility in Chicago, Illinois;
- w. Approximately 2 living rock cacti (*Ariocarpus fissuratus*) seized on or about May 14, 2018, at the International Mail Facility in Chicago, Illinois;
- x. Approximately 3 living rock cacti (*Ariocarpus fissuratus*) seized on or about May 14, 2018, at the International Mail Facility in Chicago, Illinois;

- y. Approximately 10 living rock cacti (*Ariocarpus fissuratus*) seized on or about May 14, 2018, at the International Mail Facility in Chicago, Illinois;
- z. Approximately 5 living rock cacti (*Ariocarpus fissuratus*) seized on or about July 11, 2018, at the International Mail Facility in Chicago, Illinois;
- aa. Approximately 23 living rock cacti (*Ariocarpus fissuratus*) seized on or about July 11, 2018, at the International Mail Facility in Chicago, Illinois;
- bb. Approximately 37 living rock cacti (*Ariocarpus fissuratus*) seized on or about July 11, 2018, at the International Mail Facility in Chicago, Illinois;
- cc. Approximately 58 living rock cacti (*Ariocarpus fissuratus*) seized on or about August 22, 2018, in Fort Davis, Texas;

JOHN F. BASH  
United States Attorney



JAMES J. MILLER, JR.  
Assistant United States Attorney